

***The Public Service Commission
State of South Carolina***

108839
COMMISSIONERS
G. O'Neal Hamilton, Fifth District
Chairman
C. Robert Moseley, At-Large
Vice Chairman
John E. "Butch" Howard, First District
David A. Wright, Second District
Randy Mitchell, Third District
Elizabeth B. "Lib" Fleming, Fourth District
Mignon L. Clyburn, Sixth District

FACSIMILE TRANSMITTAL SHEET

TO:
Mrs. Beatrice Weaver
1253 Harlees Bridge Road
Dillion, South Carolina 29536

FROM:
Hope H. Adams
Administrative Assistant

COMPANY/FIRM:

DATE:
10/12/2007

FAX NUMBER:
(843) 774-2050

TOTAL NO. OF PAGES INCLUDING COVER:
5

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

RE:
Docket No. 2004-219-E

YOUR REFERENCE NUMBER:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY

NOTES/COMMENTS:

Mrs. Weaver,

As requested by your facsimile transmissions of October 9 and October 11, following is the settlement agreement filing made by Progress Energy on September 27, 2007, in Docket No. 2004-219-E. A copy of this filing will also be forthcoming via U.S. mail.

STATE OF SOUTH CAROLINA

(Caption of Case)

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2004 - 219 - E

(Please type or print)

Submitted by: Len Anthony

SC Bar Number: 405

Telephone: 919/546-6367

Fax: 919/546-2694

Other: _____

Address: Progress Energy

P. O. Box 1551, PEB 17A4

Raleigh, NC 27602

Email: len.s.anthony@pgnmail.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: _____

INDUSTRY (Check one)

- ☐ Electric
☐ Electric/Gas
☐ Electric/Telecommunications
☐ Electric/Water
☐ Electric/Water/Telecom.
☐ Electric/Water/Sewer
☐ Gas
☐ Railroad
☐ Sewer
☐ Telecommunications
☐ Transportation
☐ Water
☐ Water/Sewer
☐ Administrative Matter
☐ Other: _____

NATURE OF ACTION (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Affidavit | <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input checked="" type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Oder | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

Print Form

Reset Form



September 27, 2007

Mr. Charles Terreni
Chief Clerk and Administrator
Public Service Commission of South Carolina
P. O. Drawer 11649
Columbia, South Carolina 29211

RE: Docket No. 2004-219-E

Dear Mr. Terreni:

Please find attached a settlement agreement entered into between Progress Energy Carolinas, Inc., Gary Weaver and Beatrice Weaver.

THIS DOCUMENT IS AN EXACT DUPLICATE, WITH THE EXCEPTION OF THE FORM OF THE SIGNATURE, OF THE E-FILED COPY SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.

Yours very truly,

A handwritten signature in black ink that reads 'Len S. Anthony / mhm'.

Len S. Anthony
Deputy General Counsel-Regulatory Affairs

LSA:mhm

Attachment

256168

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF DILLON) CASE NO.: 04-CP-17-232

PROGRESS ENERGY CAROLINAS,)
INC.,)

PLAINTIFF,)

VS.)

MUTUAL RELEASE

GARY WEAVER AND BEATRICE)
WEAVER,)

DEFENDANTS.)
.....

The case of Progress Energy Carolinas, Inc., v. Beatrice Weaver and Gary Weaver CA #
2004-CP-17-232 will be dismissed on the following terms and conditions:

- (1) Payment from Beatrice Weaver and/or Gary Weaver to Progress Energy Carolinas, Inc in the amount of \$3,110.44 as follows:

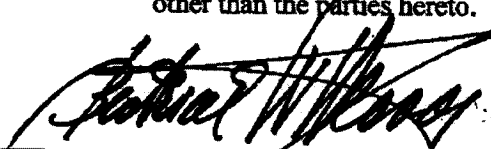
September 18, 2007 - \$1,000.00 (upon the execution of this release)

October 18, 2007 - \$1,000.00

November 18, 2007 - \$1,110.44
- (2) Progress Energy Carolinas, Inc will reinitiate electrical service to 1253 Harlees Bridge Road, Dillon, SC 29536 in the name of Beatrice Wallenstein Living Trust upon payment of the first \$1,000.00 referenced above and upon payment of the normal and customary security deposit.
- (3) Beatrice Weaver, Gary Weaver and Progress Energy Carolinas will dismiss any complaint and any response thereto relating to any matter currently pending before the South Carolina Public Service Commission.



- (4) The parties will mutually release each other as to any matter, action, potential action or any matter whatsoever which may exist between the parties as of September 17, 2007.
- (5) Progress Energy Carolinas, Inc will consent to a request by Beatrice Weaver, Gary Weaver or the Beatrice Wallenstein Living Trust for a change of service provider to the premises owned by the said Trust or by Mrs. Weaver or by Mr. Weaver, and they acknowledge that the ultimate decision regarding the change of service will be subject to negotiations between the Progress Energy Carolinas, Inc. and the substitute service provider. There is no guarantee that Progress Energy will ultimately approve the change of service if such change of service involves any potential loss of current or future customers of Progress Energy Carolinas, Inc., other than the parties hereto.


Beatrice Weaver


Gary Weaver

We Consent:


Daniel H. Shine
Attorney for Beatrice Weaver

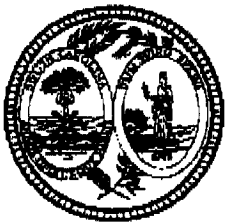

Mark W. Buyck, III
Attorney for Progress Energy Carolinas, Inc.

TRANSMISSION VERIFICATION REPORT

TIME : 10/12/2007 10:40
NAME : SC PUBLIC SERVICE
FAX : 803-896-5231
TEL : 8038965231
SER.# : BROJ3J670437

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